

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group Art Unit 3736

PATENT APPLICATION

Examiner Michael Astorino

In re application of

APPARATUS FOR MONITORING
HEALTH, WELLNESS AND FITNESS

TELLER ET AL.

Serial No. 09/923,181

Filed August 6, 2001

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

Pittsburgh, Pennsylvania 15222

April 20, 2005

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

With regard to the Notice of Non-Compliant Amendment (37 C.F.R. 1.121) dated March 7, 2005, the Examiner has stated that each amended claim, as submitted in the Amendment dated November 23, 2004, has not been provided with the proper markings and that the withdrawn and cancelled claims must be reproduced. Applicant has revised the February 11, 2004, document,

05/05/2005 R1033502 00000001 500525
01 FC:2251 60.00 DA

I, Barry I. Friedman, in accordance with 37 C.F.R. 1.8(a), hereby certify that I have a reasonable basis to expect that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope bearing sufficient postage and addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:

April 20, 2005
Date of Deposit

Signature